

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 897

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hubbard” and substitute “Delegates Hubbard, Hurson, Hammen, Benson, Boutin, Bromwell, Costa, Donoghue, Elliott, Goldwater, Haynes, Kach, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rosenberg, Rudolph, Smigiel, and Weldon”; strike beginning with “and” in line 2 down through “Hygiene” in line 3; strike beginning with “and” in line 4 down through “Hygiene” in line 5; strike beginning with “in” in line 6 down through “investigations” in line 8; in line 9, strike “and Department”; strike beginning with “fully” in line 9 down through “person” in line 10 and substitute “make certain deficiencies, findings, or conclusions of a complaint investigation available to certain individuals”; in line 12, strike “and Department”; and in line 15, strike “and 19-309”.

AMENDMENT NO. 2

On page 1, in line 27, after the semicolon insert “AND”.

On page 2, strike in their entirety lines 1 through 4, inclusive; in line 5, strike “(4)” and substitute “(2)”; and in the same line, after “NECESSARY” insert “, INCLUDING DURING:

(I) AN INVESTIGATION INTO A DEATH REPORTED IN ACCORDANCE WITH § 7-207 OF THIS TITLE; AND

(II) AN INVESTIGATION INTO AN INCIDENT REPORT RECEIVED BY THE ADMINISTRATION OR ITS DESIGNEE”;

and in line 6, strike “(1)”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 7 through 17, inclusive, and substitute:

(Over)

“(D) THE ADMINISTRATION, ON REQUEST, SHALL MAKE ANY DEFICIENCIES, FINDINGS, OR CONCLUSIONS OF A COMPLAINT INVESTIGATION AVAILABLE TO:

(1) THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY, IF:

(I) A PERSON IS NOT AUTHORIZED TO ACT ON BEHALF OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY; AND

(II) THE ADMINISTRATION DETERMINES THAT DISCLOSURE WOULD NOT BE DETRIMENTAL TO THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY;

(2) A PARENT OR GUARDIAN OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY WHO IS:

(I) A MINOR; OR

(II) UNLESS THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY ASKS THAT DISCLOSURE TO THE PARENT OR GUARDIAN NOT BE ALLOWED, AN ADULT;

(3) A LAWYER OR OTHER INDIVIDUAL WHO IS AUTHORIZED:

(I) BY THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY;
OR

(II) BY ANOTHER INDIVIDUAL TO WHOM, ON BEHALF OF THE DEVELOPMENTALLY DISABLED INDIVIDUAL, DISCLOSURE OF THE RECORD IS AUTHORIZED; OR

(4) THE CASE MANAGER FOR AN INDIVIDUAL WITH DEVELOPMENTAL DISABILITY OR SERVICE COORDINATOR WHO PROVIDES OR COORDINATES SERVICES IN ACCORDANCE WITH THE PLAN OF HABILITATION FOR THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY.”;

and in line 18, strike “(d)” and substitute “(E)”.

AMENDMENT NO. 4

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 26 on page 3, inclusive.